IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.8472 OF 2005
IN
CRIMINAL APPEAL NO.62 OF 2001

Rajesh Gas Agency. ..Applicant.
Versus
Mr.Mandar Vaijanath Sant
and Anr. ..Respondents.

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Mr.V.D.Raut, Adv. for the Applicant.
Mr.Abhaykumar Apte, Adv. for Respondent No.1.
Mrs.M.M.Deshmukh, APP, for Respondent No.2-State.

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CORAM : SMT.V.K.TAHILRAMANI,J.

DATED : DECEMBER, 18, 2007.
(IN CHAMBER, 2:45 P.M.)

P.C.:

1. Heard the learned Advocate for the applicant-orig.complainant, the learned Advocate for respondent No.1-orig.accused and the learned APP for the State.

2. By the present application, the applicant-orig.complainant is seeking restoration of Criminal Appeal No.62 of 2001.

3. Respondent No.1-orig.accused came to be

acquitted under Section 138 of N.I. Act. Being aggrieved thereby, the present applicant-orig.complainant preferred Criminal Appeal No.62 of 2001 before this Court. There were some office objections in the said Appeal. A conditional order came to be passed by this Court that if the office objections are not removed within a certain time period, the matter shall stand dismissed. Hence, as the office objections were not removed within the said time period, Criminal Appeal No.62 of 2001 came to be dismissed. Now the office objections have been removed. Mr.Apte, the learned Advocate for respondent No.1-orig.accused states that there is no objection to Criminal Appeal No.62 of 2001 being restored to file. In this view of the matter, Criminal Appeal No.62 of 2001 is restored to file.

4. Application is disposed of accordingly.

(SMT.V.K.TAHILRAMANI,J.)